

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LYNADA LATICIA MAHONE,

Defendant.

No. CR-18-18-H-SEH

**ORDER**

On June 2, 2020, Defendant Lynada Laticia Mahone (“Mahone”) moved the Court to modify her imprisonment, citing the First Step Act and 18 U.S.C. § 3582(c)(1)(A).<sup>1</sup> The Court denied Mahone’s request for sentence modification on June 19, 2020.<sup>2</sup> Any notice of appeal was due on or before July 6, 2020.<sup>3</sup> Mahone filed her Notice of Appeal on July 7, 2020.<sup>4</sup>

The Ninth Circuit has remanded the matter to this Court “for the limited purpose of permitting the district court to provide appellant notice and an opportunity to request that the time for filing the notice of appeal be extended.”<sup>5</sup>

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<sup>1</sup> See Doc. 25 at 2–3.

<sup>2</sup> See Doc. 26 at 3.

<sup>3</sup> See Fed. R. App. P. 4(b)(1)(A), 26(a)(1)(C).

<sup>4</sup> See Doc. 27 at 3; *Houston v. Lack*, 487 U.S. 266, 270–71 (1988).

<sup>5</sup> Doc. 29 at 2 (citing Fed. R. App. P. 4(b)(4); *United States v. Ono*, 72 F.3d 101, 103 (9th Cir. 1995) (order); *United States v. Stolarz*, 547 F.2d 108 (9th Cir. 1976)).

Fed. R. App. P. 4(b)(4) recites:


**Motion for Extension of Time.** Upon a finding of excusable neglect or good cause, the district court may—before or after the time has expired, with or without motion and notice—extend the time to file a notice of appeal for a period not to exceed 30 days from the expiration of the time otherwise prescribed by this Rule 4(b).

ORDERED:

1. Mahone may have to and including **August 7, 2020**, in which to file a request supported by reliable evidence of good cause or excusable neglect justifying a conclusion by this Court that the time for Mahone to file an appeal in this case be extended to and including July 7, 2020.

2. The Clerk is directed to serve this Order on Mahone at the following address: Reg. No. 45425-424, FPC Alderson, Federal Prison Camp, Glen Ray Rd, Box A, Alderson, WV 24910.

DATED this 17<sup>th</sup> day of July, 2020.

  
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SAM E. HADDON  
United States District Judge